

AGENDA

**REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
(502) 875-8500**

**FEBRUARY 6, 2003
5:00 P.M. (EST)**

- 1. INVOCATION** Rev. Charles Ellestad, Church of the Ascension
- ROLL CALL**
- MINUTES** January 6, 2003 Work Session; January 9, 2003 Regular Meeting
- MAYOR'S REPORT**

2. CEREMONIAL ITEMS

- 2.1 Recognition of Buffalo Trace Distillery, 1001 Wilkinson Boulevard, as a State Tourism Attraction - Frankfort/Franklin County Tourist and Convention Commission.

Background: Buffalo Trace Distillery was added to the National Historical Register in 2001 and is currently pending "landmark status" for federal recognition. The Commonwealth of Kentucky has been addressing the formal recognition of the Buffalo Trace Distillery as an historic tourism attraction in Central Kentucky. The official designation of the state tourism attraction was finalized in 2002. This designation is not only in recognition for the historic development of the Buffalo Trace Distillery in Franklin County but also the future tourism potential for this facility within Central Kentucky. The Buffalo Trace Distillery conducts regular tours of the distillery property and operations on a regular basis.

The Kentucky Transportation Cabinet has approved interstate signing for Buffalo Trace Distillery as a tourism attraction. These "brown signs" will be installed in the months ahead on both Interstate 64 as well as within the Frankfort community to guide visitors to the property.

Executive Director Tony Charters from the Tourist Commission and Executive Director David Morgan from the Kentucky Heritage Council will be in attendance to provide the presentation on this historical recognition. President Mark Brown from Buffalo Trace Distillery will also be in attendance to present remarks on behalf of the company.

Attachments: "Buffalo Trace Distillery History".

- 2.2 Presentation of Quarterly Report on Economic Development Activities - Executive Director Darrell Gilliam, Capital Community Economic/Industrial Development Authority (CCEIDA).

Background: Over the past few months, CCEIDA and Executive Director Darrell Gilliam have initiated the practice of providing a quarterly report to the Board of Commissioners on economic development activities. This report is intended to highlight the significant accomplishments and activities of the City/County joint venture on economic development promotion.

The report for 2/6/03 will focus upon the content of the 2002 Annual Report as recently completed by CCEIDA.

Attachments: CCEIDA 2002 Annual Report.

3. ORDINANCES

3.1 An Ordinance Amending Ordinance No. 5, 2001 Series, Relating to Fixing the Time and Place of the Meetings of the Board of Commissioners.

Purpose: The purpose of this item is to consider an ordinance to designate the meeting schedule for the Board of Commissioners.

Background: Since 2001, it has been the policy of the Board of Commissioners to hold their regular meetings on the first and third full week of each calendar month. Accordingly the Board work sessions have been held on the Monday preceding the regular meeting.

In recent Board work sessions, the Board has been reviewing their meeting schedule and rules of procedure for the conduct of their respective meetings. It was determined that a change in the meeting schedule was recommended to establish one regular meeting and one work session per month. City Solicitor Jim Higgs was requested to prepare an appropriate ordinance for this purpose.

Attachments: Ordinance.

4. ORDERS

4.1 An Order Authorizing the Filing of an Application with the Department of Transportation, United States of America, for a Grant under the Federal Transit Act of 1964, as amended - Public Works Department.

Purpose: The purpose of this item is to consider an order authorizing the Mayor to file an application with the U.S. Department of Transportation for a 5311 Grant under the Federal Transit Act.

Background: This order must be adopted each year in order to apply for a Section 5311 Grant. This order authorizes the Mayor to execute and file on behalf of the City an application with the U.S. Department of Transportation for a Section 5311 Grant which provides operating and administrative assistance to the City's Public Transit System.

The City of Frankfort has operated a fixed route and paratransit service for many years. The fixed route component of the program has been very beneficial for daily work commuters to their respective employers. Non peak hours of operation for the fixed route service, as is customary in municipal transit systems, has lighter commuter utilization. The paratransit service, which entails direct pick up of senior citizens and handicapped individuals at their place of residence has been an extremely popular and growing factor in the transit service. Items 4.1 and 4.2 on the agenda provide the formal actions of the Board of Commissioners to secure operating funding through federal grants and to also pledge local funding for the continuation of these services.

Recommendation: Approval.

Attachments: Order.

Contact Person

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Kay Brooks
Transit Supervisor
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4.2 An Order Committing the Local Share of Funds Necessary to Secure a Section 5311 Grant Application - Public Works Department.

Purpose: The purpose of this item is to consider an order committing the City's share of funds to obtain a Section 5311 Grant and assure the operation of the transit service for a minimum of five years.

Background: This is the companion item to Item 4.1 on this agenda. This order must be adopted each year in order to apply for a Section 5311 Grant. The Section 5311 Grant request will be in the amount of \$300,000, in which the City is obligated to cover 50% (\$150,000) of the operating expense and the Federal Government will pay 50% (\$150,000). The City is also to assure the operation of the transit service for a minimum of five years.

Recommendation: Approval.

Attachments: Order.

Contact Person

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5. RESOLUTIONS

5.1 Resolution Authorizing the Filing of an Application for 2003 Bluegrass PRIDE Community Grant and Designating the Mayor to Execute All Grant Documents Pertaining to this Application.

Purpose: The purpose of this item is to consider a resolution authorizing the filing of a grant application not to exceed \$20,000 to utilize Cove Spring Park/Nature Preserve as a demonstration site for implementing projects which address a number of environmental problems at the site.

Background: 2003 Bluegrass PRIDE Community Grant Applications are due February 4, 2003. The project will be carried out at the beautiful 150 acre site of the Cove Spring Park/Nature Preserve utilizing community volunteers and agencies, City staff, and consultant services to implement projects that improve the environment and wildlife habitat. Proposed project activities include: clean up of litter and a number of dumps, eradication of invasive plants and replacing them with native species, water quality testing and remediation. Project components will be documented and the documentation will be used in educational displays at the park/preserve. In addition, information from these undertakings will be used to promote public awareness and tourism through a number of specific efforts and will be incorporated into educational programs for students from the region and other parts of the state as well as for families. Displays, participatory and educational programs, and the park/preserve's enhanced natural beauty and attractions will provide a strong tourism draw.

Financial Analysis: The 20% local match will be composed of in-kind staff time, labor and equipment along with purchase of materials budgeted in Forestry Division. In addition, a contingent of volunteers will assist with the project.

Recommendation: Approval.

Attachments: Resolution.

Contact Person

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Andrew Cammack
Arborist
Parks & Recreation

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6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 Authorization to Bid Yard Waste Grinding Services - Public Works Department.

Background: On 4/1/02, the Board of Commissioners awarded a yard waste grinding contract to A-1 Procurement Services Inc. for a one year period. Formerly, the City had ground its own material with a tub grinder purchased by a grant administered through Kentucky State University. The tub grinder was purchased in 1991 and was in need of major repair. Rather than repairing the tub grinder that was near the end of its useful life or purchase a new unit that would cost an estimated \$250,000, the City decided to contract the grinding service.

The yard waste collected by City crews includes leaves, tree limbs, and grass clippings. Currently, City crews collect yard waste and storm debris and haul it to A-1's lot located approximately one mile outside the City limits. The City hauls a portion of the ground material to the Kentucky State Research Farm where it is converted to mulch and offered to the public. The program has diverted approximately 2,900 tons of yard waste from the landfill over the last 12 months which resulted in a landfill savings of approximately \$87,000/year (2,900 tons*\$30/ton). A-1 Procurement was the only bidder last year and bid \$3,500/month for this service.

City Manager Comments: The current contract is scheduled to expire on 2/28/03. The intent is to have the new program in place in March, 2003 in advance of the activation of the yard waste collection program in April, 2003.

Recommendation: Approval.

Attachments: None.

Contact Person

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Title: Director
Department: Public Works
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6.2 Bid Award for Transit Bus - Public Works Department.

Purpose: The purpose of this item is to authorize the purchase of one transit bus using Rural Transit Enterprises Coordinated's (RTEC) bid for transit vehicles opened 11/14/02.

Background: At the 12/19/02 regular meeting, the Board of Commissioners authorized the purchase of two transit buses using price contracts from Blue Grass Community Action Agency

and Rural Transit Enterprises Coordinated. The bus which was requested and approved for purchase from RTEC did not have a wheelchair lift and the purchase could not be completed. The other bus purchase was completed per specifications. The transit system is required to have all of its vehicles lift equipped under ADA to service the fixed routes and paratransit routes. The cost to purchase one 16 passenger, 2 wheelchair lift equipped bus is \$39,214.00, which is an additional cost of \$10,094.00.

Financial Analysis: Funding for the bus will be as follows: Federal Share (80%) \$31,371.20; State Share (10%) \$3,921.40; and City Share (10%) \$3,921.40 from the Transportation Improvement Account. With the additional cost of this bus, the total cost for both buses will be \$73,977.00, which is still under the City's Section 5309 Discretionary Grant of \$118,803.00 for purchase of buses.

Recommendation: Approval.

Attachments: None.

Contact Person

Name:	Jeff Hackbart	Kay Brooks
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6.3 Proposal for Installation of Electric Service for the Jones Run Pump Station Upgrade Project - Frankfort Electric and Water Plant Board. (Public Works Department)

Purpose: The purpose of this item is to authorize the Frankfort Electric and Water Plant Board to install electric service to the Jones Run Pump Station Upgrade Project.

Background: The Jones Run Pump Station Upgrade Project requires additional electric infrastructure to serve the new 150-cfs pump station. The Plant Board has provided a cost estimate to install 2 additional transformer banks for the third Jones Run Pumping Station. Upon completion of the electrical upgrade, the actual cost data will be compiled and advanced to the City for payment. If actual cost is greater than the amount advanced, the City's additional charge will not exceed 25% of the original advance.

City Manager Comments: The original financial reserve for this electrical work was \$50,000.00 and the Frankfort Plant Board was able to complete this work under estimate.

Financial Analysis: Funds are available in the requested amount of \$34,066.00 in the 1999 Bond Issue for this item.

Recommendation: Approval.

Attachments: None.

Contact Person

Name:	Jeff Hackbart	David Carpenter
Title:	Director	Chief Engineer
Department:	Public Works	Frankfort Electric and Water Plant Board
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6.4 Authorization to File an Application with the Kentucky Natural Resources and Environmental Protection Cabinet for the Conduct of a Litter Abatement Program - Public Works Department.

Purpose: The purpose of this item is to apply for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet.

Background: The City of Frankfort is eligible to apply for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet. This funding is available to City's and County's throughout the Commonwealth to support litter clean up on public roadways. This new program is funded through House Bill 174 that recently was approved by the Kentucky Legislature. HB 174 requires permitted solid waste landfills to collect an additional \$1.75/ton to pay for litter abatement programs and proper closures of abandon landfills. The funding level received is based upon public street miles within the City limits. As required by KRS 224.43-345, two litter cleanups will be conducted along city streets each year. The City agrees to provide a 25% match for all litter abatement funds received and to provide proof of this match to the Kentucky Natural Resources and Environmental Protection Cabinet upon request. The City also agrees to report information to the County by February 1 of each year regarding all litter abatement activities.

City Manager Comments: This new program offers the opportunity with state funding support to enhance right-of-way maintenance on city and state roadways on a twice per year basis. Due to the recent state adoption of this initiative, municipalities have been requested to file their respective grant requests by the deadline of 1/31/03. The Public Works Department has secured an administrative extension of this grant deadline through 2/6/03 to facilitate the Board meeting schedule.

Recommendation: Approval.

Attachments: None.

Contact Person

Name:	Jeff Hackbart	Mark Barrette
Title:	Director	Franklin Co. Solid Waste Coordinator
Department:	Public Works	
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6.5 2003 Sports Rates Schedule - Parks and Recreation.

Purpose: The purpose of this item is to consider approving the sports rates schedule for the Parks and Recreation Department for the 2003 season.

Background: Rates for the sports programs have not been increased since 1997, other than adult softball which was increased from \$325.00 to \$350.00 in 2002. This will not increase this year.

Attachments: Rate Comparison.

Contact Person:

Name:	Steve Brooks
Title:	Director
Department:	Parks and Recreation
Phone:	(502) 875-8575
E-Mail:	parkrec@mis.net

6.6 Authorization to File a Grant Application with the Kentucky Board of Emergency Medical Services (EMS) for Replacement of Ambulance - Fire Department.

Purpose: The purpose of this item is to consider authorizing the Fire Department to apply for matching grant funds from the Kentucky Board of EMS for replacement of a city ambulance.

Background: Annual Kentucky Board of EMS grant applications are due by February 21, 2003. This grant will be for funds to replace an ambulance per our annual replacement schedule. Grants may be awarded for up to \$25,000.00

Financial Analysis:	Funds to be budgeted in FY 03/04	\$92,000
	Possible grant offset	<u>25,000</u>
	Total Cost to City	67,000

Recommendation: Approval.

Contact Person

Name: Wallace Possich
Title: Fire Chief
Department: Fire
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6.7 Acceptance of the 2001-2002 Annual Audit for the City of Frankfort.

Purpose: The purpose of this item is to consider the formal acceptance of the annual audit as prepared by Charles T. Mitchell Co.

Background: The presentation of the annual audit was conducted at the Board work session on 2/3/03.

Recommendation: Approval.

Attachments: None.

Contact Person:

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Title: Director
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6.8 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Confirmation	Allen Yocum	Sewer	1/22/03	Plant Operator I.
Confirmation	Tammy Brown	Finance	2/4/03	License Fee Administrator.

Attachments: None.

Contact Person:
Name: Brenda Kersey
Title: Personnel Director
Department: City Manager's Office
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7. BOARD APPOINTMENTS

8. OLD BUSINESS

8.1 Frankfort City Hall Feasibility Study - CMW, Inc.

Background: This item was reviewed in detail at the 1/6/03 Board work session and advanced to the 1/23/03 regular meeting. Due to the cancellation of the 1/23/03 regular meeting, this item is being referred to the Board regular meeting on 2/6/03 for Board review and direction.

Attachments: The Board is requested to bring their individual copy of the Feasibility Study for reference purposes.

9. NEW BUSINESS

9.1 Authorization to File a Notice of Intent for a Phase 2 Stormwater Permit with the Kentucky Division of Water - Public Works Department.

Purpose: The purpose of this item is to authorize the filing of a Notice of Intent, a stormwater implementation plan and the stormwater outfall map of the Phase 2 area to the Kentucky Division of Water.

Background: The Board of Commissioners awarded a professional services agreement to PEH Engineers (now Strand Engineers) to assist the City with the Phase 2 Stormwater Program on 11/7/02. The City of Frankfort and Franklin County are required by law to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) storm water permit by 3/10/03 under the Phase II Stormwater Program. The Phase II Stormwater Program is an unfunded mandate required by the Clean Water Act (CWA) and is administered nationally by the Environmental Protection Agency (EPA) and locally by the Kentucky Division of Water. The purpose of this program is to address storm water quality impacts on the streams within the communities' "urbanized area". The "urbanized area is determined through data collected in the 2000 census. As a Phase II community, the City and County must develop, implement and enforce a stormwater management program to:

- \$ Reduce the discharge of pollutants to the maximum extent practicable,
- \$ Protect Water Quality, and
- \$ Satisfy the appropriate water quality requirements of the Clean Water Act.

The City was designated a Phase II community by having a population of a least 10,000 people and population density of 1,000 people per square mile. The stormwater permit requirements are applicable within the areas of Franklin County that also meet the population density of 1,000 people per square mile. As shown on the attached map, this area extends beyond Frankfort's incorporated limits. For this reason, the County has elected to join the City as a co-permittee for the Phase II permit. It has been determined that approximately 75% of the urbanized area exists within the City and the remaining 25% is in the County. To date, the City and County have agreed to incur a 75%-25% cost share based on urbanized area.

As part of the permit application, the City and County must submit the following by 3/10/03:

1. Notice of Intent (NOI) – One page form
2. Stormwater Implementation Plan – Plan to address the CWA's six minimum controls within the first 5 year permit cycle
3. Stormwater outfall map – showing streams, drainage basins, and know stormwater outfalls

The City of Frankfort will be designated as the permit holder with Franklin County listed as a co-permittee. As the permit holder, the NOI must be signed by the Mayor. A copy of the NOI is attached.

At the 2/3/03 Board work session, Strand Engineers will present the proposed stormwater implementation plan and the potential financial responsibilities of both the City and County through the implementation of this five-year permit.

Recommendation: Approval.

Attachments: (1) Notice of Intent
(2) Outfall Map
(3) Stormwater Implementation Plan

Contact Person

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10. CITIZEN COMMENTS (Non-agenda items)

11. COMMISSIONER COMMENTS

12. ADJOURNMENT